

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEFFREY SIMPSON, individually and derivatively, as managing member of JJ ARCH LLC, suing derivatively as managing member of ARCH REAL ESTATE HOLDINGS LLC, and JJ Arch

25-CV-02372 (LTS)

Plaintiff,

v.

JARED CHASSEN, FIRST REPUBLIC BANK

Defendants.

**DECLARATION OF JONATHAN T. KOEVARY, ESQ. ARCH REAL ESTATE HOLDINGS LLC'S JOINDER TO JARED CHASSEN'S ORDER TO SHOW CAUSE SEEKING AN ORDER REMANDING THIS PROCEEDING, AWARDING COSTS AND FEES PURSUANT TO 28 U.S.C. § 1447(C) AND THE COURT'S INHERENT POWERS, AND BARRING ANY FURTHER REMOVAL
OF THIS PROCEEDING ABSENT THE PRIOR PERMISSION OF THIS COURT**

JONATHAN T. KOEVARY pursuant to 28 U.S.C. § 1746, declares:

1. I am a partner of Olshan Frome Wolosky LLP, counsel to Arch Real Estate Holdings LLC. I submit this declaration in support of *Arch Real Estate Holdings LLC's Joinder to Jared Chassen's Order to Show Cause Seeking an Order Remanding this Proceeding, Awarding Costs and Fees Pursuant to 28 U.S.C. § 1447(c) and the Court's Inherent Powers, and Barring any Further Removal of this Proceeding Absent the Prior Permission of this Court* filed contemporaneously herewith.

2. Attached as Exhibit A hereto is a true and correct copy of the email communication of Mr. Robert Lorenc, Esq. to Mr. Eric Szkarlat concerning whether the March 27, 2025 hearing would go forward in light of the actions Mr. Jeffrey Simpson took to remove the State Court Action. As of the date of the communication, Mr. Szkarlat was a law clerk to Justice Cohen.

I declare under penalty of perjury that the foregoing information is true and correct to the best of my knowledge, information and belief.

Executed on the 16th day of April, 2025

/s/ *JONATHAN T. KOEVARY*
JONATHAN T. KOEVARY